

**CERTIFICATE OF EXPRESS MAILING**EXPRESS MAIL Mailing Label Number EV 29881 4360 USDate of Deposit: February 19, 2004

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Name: Peter R. MontSignature: Peter R. MontClifford Chance US LLP

Docket No. 5677-215

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT APPLICATION TRANSMITTAL****MAIL STOP PATENT APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a utility patent application

Of: Alan P. Kozikowski, Leo J. Romanczyk, R., and Werner Tuckmantel

For: SYNTHESIS OF 4 $\alpha$ -ARYLEPICATECHINS

ENCLOSED are the following:

1. ☒ Specification, abstract and claims (32 pages)
2. ☐ \_\_\_\_\_ sheets of ☐ formal ☐ informal drawings (Figs. \_\_\_\_\_)  
Suggested Figure for Publication: \_\_\_\_\_
3. ☒ Declaration  
☒ signed ☐ unsigned  
☒ Copy from a prior application (for continuation/divisional)
4. ☐ Application Data Sheet
5. ☒ Preliminary Amendment
6. ☐ Information Disclosure Statement and PTO-1449
7. ☐ Assignment and Assignment Recordation sheet (*Fee calculated separately*)
8. ☒ The prior application is assigned to: Mars, Incorporated  
The assignment was recorded on September 5, 2000 at reel 011066 and frame 0686.  
☒ A copy of the assignment from the prior application is enclosed.
9. ☐ Non-Publication Request
10. ☐ Other:

**NOTE the following:**

11. ☒ This application is made under 37 C.F.R. § 1.53 (b) and is a  
☐ Continuation ☐ Continuation-In-Part ☒ Divisional  
of Prior Application No. 10/214,830 filed August 8, 2002
12. ☐ An Extension of time is filed concurrently herewith for the parent application.
13. Small Entity Status:  
☐ Applicant is a small entity  
☐ Small entity status claimed in the parent application is no longer proper
14. ☐ Applicants claim priority from the following application(s) under 35 U.S.C. § 119:
15. ☐ Applicants claim priority from the following application(s) under 35 U.S.C. § 120:

Serial Number

Country

Filing Date

Certified Copy Encl.

16. ☒ Cancel claims 1-21 and 23-24 prior to calculation of the filing fee.

**FILING FEE:** calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

Basic Filing Fee			\$770.00
Total No. Claims 7	Extra Claims(Total-20) 0	Fee / claim \$18.00	\$0.00
Total No. Independent Claims 1	Extra Independ.(No.-3) 0	Fee / claim \$86.00	\$0.00
Multiple dependent claim? + \$280			\$0
<b>Sub-Total</b>			\$770.00
Small Entity? less 50%			0
<b>TOTAL FEE DUE</b>			\$770.00

17. ☐ A check in the amount of is enclosed (must at least cover the basic fee).  
☒ The Commissioner is authorized to charge \$770.00 in connection with this communication to Deposit Account No. 50-0521.

In the event that a petition for extension of time is required to be submitted in the pending prior application, and in the event that a separate petition for the pending prior application is not filed on even date, applicant hereby petitions under 37 C.F.R.1.136(a) for an extension of time in the pending prior application of as many months as are required to render this submission timely. The Commissioner is authorized to charge any fees due in connection with such a petition to Deposit Account No. 50-0521.

The Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 50-0521.

A duplicate copy of this sheet is enclosed.

Date: February 19, 2004

Respectfully submitted,



Margaret B. Kelley

Reg. No. 29,181

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